

BEFORE THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE
IN THE MATTER OF THE PHYSICIAN'S LICENSE

OF

JOHN EDWIN WITCHER, M.D.

ORDER

THIS MATTER came on regularly for hearing on April 8, 2011, before the Executive Committee of the Mississippi State Board of Medical Licensure (hereinafter referred to as the "Board"), pursuant to Title 73, Chapter 25, Miss. Code (1972) Annotated. The Board initiated these proceedings on March 28, 2011, by issuance of a Summons and Order of Temporary Action Pending Hearing against John Edwin Witcher, M.D. (hereinafter referred to as "Licensee"), with attached Affidavit from Thomas Washington, Investigator. The affidavit set forth two counts against Licensee, alleging violations of Miss. Code Ann. Sections 73-25-29(8)(d) and 73-25-83(c) as more fully set out below.

Licensee was present without counsel. Complaint Counsel for the Board was Honorable Stan T. Ingram. Sitting as legal advisor to the Board was Honorable Ellen O'Neal, Assistant Attorney General. After being advised of his right to counsel, Licensee waived such rights and elected to proceed. Board members present for all proceedings were William S. Mayo, D.O., President; S. Randall Easterling, M.D.; and Virginia M. Crawford, M.D. Based upon the evidence and testimony presented, the Board renders the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

Licensee admitted to all of the allegations of fact and charges as set forth in the Summons and Affidavit filed herein. Therefore, the facts as set forth in the March 28, 2011,

Affidavit of Thomas Washington are taken as confessed and are incorporated herein by reference.

CONCLUSION OF LAW

Based on the Finding of Facts as enumerated above, Licensee is guilty of Counts One and Two of the Affidavit as filed with the Board. Specifically, Licensee is guilty of having been disciplined by a licensed hospital or medical staff of said hospital as a result of his clinical privileges being summarily suspended by the Medical Administrative Committee of the Laird Hospital, all in violation of Miss. Code Ann., Section 73-25-83; and guilty of unprofessional conduct, which includes, but is not limited to any dishonorable or unethical conduct likely to deceive, defraud or harm the public in violation of Miss. Code Ann., Section 73-25-29(8)(d) and 73-24-83(a).

ORDER

IT IS THEREFORE, ORDERED that the Medical License of John Edwin Witcher, M.D. is hereby suspended for a minimum of one (1) year;

IT IS FURTHER ORDERED that after expiration of at least one (1) year, Licensee shall have the right, but not the obligation, to petition the Board for reinstatement of his medical license. Licensee must submit documented proof of the following:

1. Licensee shall immediately enter into and successfully complete treatment as directed by the Mississippi Professionals Health Program (hereinafter MPHP).
2. Upon completion of treatment, Licensee shall seek and maintain advocacy with the MPHP.
3. Any loss of advocacy by the MPHP must be immediately reported to the Board.

IT IS FURTHER ORDERED that in the event the Board permits reinstatement of Licensee's medical license, the Board shall have the right to impose on said license any other restriction which the Board, in its sole discretion, shall deem necessary to protect the public.

IT IS FURTHER ORDERED, that Licensee shall reimburse the Board for all costs incurred in relation to the pending matter pursuant to Miss. Code Ann., Section 73-25-30. Licensee shall be advised of the total assessment by separate written notification, and shall have a certified check or money order made payable to the Mississippi State Board of Medical Licensure on or before forty (40) days from the date of mailing of the notification.

IT IS FURTHER ORDERED that pursuant to Section 73-25-27, a copy of this Determination and Order shall be sent by registered mail, or personally served upon Licensee. Because Licensee was informed of this decision following Board deliberations, the Order shall be given immediate effect.

SO ORDERED, this the 8th day of April, 2011.

**MISSISSIPPI STATE BOARD OF
MEDICAL LICENSURE**

BY: William S. Mayo, D.O.
WILLIAM S. MAYO, D. O.
PRESIDENT